

**U.S. District Court  
California Northern District (San Francisco)  
CIVIL DOCKET FOR CASE #: 3:06-cv-01698-WHA**

American Civil Liberties Union of Northern California et al v.  
United States Department of Defense et al  
Assigned to: Hon. William Alsup  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/07/2006  
Date Terminated: 05/25/2006  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**American Civil Liberties Union of  
Northern California**

represented by **Alan Lawrence Schlosser**  
ACLU Foundation of Northern California,  
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**Plaintiff**

**San Francisco Bay Guardian**

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**Amitai Schwartz**  
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**Lisa Mija Sitkin**  
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**Mark Schlosberg**  
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**Plaintiff**

**University of California Santa Cruz  
Students Against War**

represented by **Alan Lawrence Schlosser**  
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**Amitai Schwartz**  
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**Lisa Mija Sitkin**  
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**Mark Schlosberg**  
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**Plaintiff**

**Berkeley Stop the War Coalition**

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**Mark Schlosberg**  
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V.

**Defendant**

**United States Department of Defense  
and its components**

represented by **Samuel C. Kaplan**  
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**ATTORNEY TO BE NOTICED**

**Defendant**

**Department of the Army**

represented by **Samuel C. Kaplan**  
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**ATTORNEY TO BE NOTICED**

**Daniel Jerome Davis**  
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**ATTORNEY TO BE NOTICED**

**Defendant**

**Department of the Navy**

represented by **Samuel C. Kaplan**  
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**LEAD ATTORNEY**  
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**Daniel Jerome Davis**  
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**ATTORNEY TO BE NOTICED**

**Defendant**

**Department of the Air Force**

represented by **Samuel C. Kaplan**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Daniel Jerome Davis**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
03/07/2006	<u>1</u>	COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF against United States Department of Defense, Department of the Army, Department of the Navy, Department of the Air Force ( Filing fee \$ 250, receipt number 3382680.). Filed by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. (sis, COURT STAFF) (Filed on 3/7/2006) Additional attachment(s) added on 3/10/2006 (sis, COURT STAFF). (Entered: 03/10/2006)
03/07/2006		Summons Issued as to United States Department of Defense, Department of the Army, Department of the Navy, Department of the Air Force. (sis, COURT STAFF) (Filed on 3/7/2006) (Entered: 03/10/2006)
03/07/2006	<u>2</u>	ADR SCHEDULING ORDER: Case Management Statement due by 5/25/2006. Case Management Conference set for 6/8/2006 11:00 AM. (sis, COURT STAFF) (Filed on 3/7/2006) (Entered: 03/10/2006)

03/07/2006	<u>3</u>	SUPPLEMENTAL ORDER TO ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE re <u>2</u> ADR Scheduling Order (sis, COURT STAFF) (Filed on 3/7/2006) (Entered: 03/10/2006)
03/07/2006		CASE DESIGNATED for Electronic Filing. (sis, COURT STAFF) (Filed on 3/7/2006) (Entered: 03/10/2006)
03/13/2006	<u>4</u>	CERTIFICATE OF SERVICE by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian re <u>1</u> Complaint,, <i>Summons</i> (Sitkin, Lisa) (Filed on 3/13/2006) (Entered: 03/13/2006)
04/07/2006	<u>5</u>	NOTICE of Appearance by Samuel C. Kaplan (Kaplan, Samuel) (Filed on 4/7/2006) (Entered: 04/07/2006)
04/07/2006	<u>6</u>	ANSWER to Complaint by United States Department of Defense, Department of the Army, Department of the Navy, Department of the Air Force. (Kaplan, Samuel) (Filed on 4/7/2006) (Entered: 04/07/2006)
04/13/2006	<u>7</u>	MOTION for Summary Judgment filed by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. Motion Hearing set for 5/18/2006 08:00 AM in Courtroom 9, 19th Floor, San Francisco. (Sitkin, Lisa) (Filed on 4/13/2006) (Entered: 04/13/2006)
04/13/2006	<u>8</u>	Declaration in Support of <u>7</u> MOTION for Summary Judgment of <i>Mark Schlosberg</i> filed by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. (Attachments: # <u>1</u> Exhibit Exhibit 1# <u>2</u> Exhibit Exhibit 3# <u>3</u> Exhibit Exhibit 4# <u>4</u> Exhibit Exhibit 5# <u>5</u> Exhibit Exhibit 6# <u>6</u> Exhibit Exhibit 7# <u>7</u> Exhibit Exhibit 8)(Related document(s) <u>7</u> ) (Sitkin, Lisa) (Filed on 4/13/2006) (Entered: 04/13/2006)
04/13/2006	<u>9</u>	NOTICE OF MANUAL FILING re: <i>Exhibit 2 to Schlosberg Declaration</i> filed by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. (Sitkin, Lisa) (Filed on 4/13/2006) Modified on 4/14/2006 (sis, COURT STAFF). (Entered: 04/13/2006)
04/13/2006	<u>10</u>	Proposed Order re <u>7</u> MOTION for Summary Judgment, <u>8</u> Declaration in Support,,, <u>9</u> Exhibits, by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. (Sitkin, Lisa) (Filed on 4/13/2006) (Entered: 04/13/2006)
04/13/2006	<u>11</u>	EXHIBIT 2 re <u>8</u> Declaration in Support, filed by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. (Related document(s) <u>8</u> ) (sis, COURT STAFF) (Filed on 4/13/2006) (Entered: 04/14/2006)
04/13/2006	<u>12</u>	CERTIFICATE OF SERVICE by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian re <u>11</u> Exhibits, (sis, COURT STAFF) (Filed on 4/13/2006) (Entered: 04/14/2006)
04/28/2006	<u>13</u>	STIPULATION and Request to Extend Time to File Opposition to Motion for Summary Judgment By One Week and To Extend Disclosure and Initial Case Management Deadlines by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, United States Department of Defense, Department of the Army, Department of the Navy, Department of the Air Force, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. (Kaplan, Samuel) (Filed on 4/28/2006) (Entered: 04/28/2006)
05/01/2006	<u>14</u>	ORDER GRANTING IN PART STIPULATION TO CONTINUE HEARING AND CASE MANAGEMENT CONFERENCE AND EXTENDING INITIAL DEADLINES re <u>13</u> Stipulation filed by United States Department of Defense, Department of the Air Force, Department of the Army, Department of the Navy, American Civil Liberties Union of Northern California, San Francisco Bay

		Guardian, University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition]. Signed by Judge William Alsup on 5/1/2006. (whasec, COURT STAFF) (Filed on 5/1/2006) (Entered: 05/01/2006)
05/01/2006		Set/Reset Deadlines as to <u>7</u> MOTION for Summary Judgment. Motion Hearing set for 5/25/2006 08:00 AM in Courtroom 9, 19th Floor, San Francisco. (sis, COURT STAFF) (Filed on 5/1/2006) (Entered: 05/11/2006)
05/01/2006		Set Deadlines/Hearings: Case Management Statement due by 6/22/2006. Case Management Conference set for 6/29/2006 11:00 AM. (sis, COURT STAFF) (Filed on 5/1/2006) (Entered: 05/11/2006)
05/05/2006	<u>15</u>	Memorandum in Opposition re <u>7</u> MOTION for Summary Judgment filed by United States Department of Defense, Department of the Army, Department of the Navy, Department of the Air Force. (Attachments: # <u>1</u> Declaration of Lieutenant Commander Nieva Brock, JAGC, USN# <u>2</u> Declaration of William T. Kammer# <u>3</u> Declaration of Anne C. Costa)(Kaplan, Samuel) (Filed on 5/5/2006) (Entered: 05/05/2006)
05/05/2006	<u>16</u>	Proposed Order re <u>15</u> Memorandum in Opposition, by United States Department of Defense, Department of the Army, Department of the Navy, Department of the Air Force. (Kaplan, Samuel) (Filed on 5/5/2006) (Entered: 05/05/2006)
05/11/2006	<u>17</u>	Reply Memorandum re <u>7</u> MOTION for Summary Judgment filed by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. (Sitkin, Lisa) (Filed on 5/11/2006) (Entered: 05/11/2006)
05/11/2006	<u>18</u>	Declaration in Support of <u>17</u> Reply Memorandum, <i>Supplemental Declaration of Mark Schlosberg</i> filed by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D)(Related document(s) <u>17</u> ) (Sitkin, Lisa) (Filed on 5/11/2006) (Entered: 05/11/2006)
05/11/2006	<u>19</u>	OBJECTIONS to re <u>17</u> Reply Memorandum, <i>Objection to Declaration of William T. Kammer</i> by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. (Sitkin, Lisa) (Filed on 5/11/2006) (Entered: 05/11/2006)
05/18/2006	<u>20</u>	ADR Certification (ADR L.R. 3–5b) of discussion of ADR options (Sitkin, Lisa) (Filed on 5/18/2006) (Entered: 05/18/2006)
05/19/2006	<u>21</u>	ADR Certification (ADR L.R. 3–5b) of discussion of ADR options (Kaplan, Samuel) (Filed on 5/19/2006) (Entered: 05/19/2006)
05/23/2006	<u>22</u>	NOTICE of Appearance by Samuel C. Kaplan of <i>Daniel J. Davis</i> (Kaplan, Samuel) (Filed on 5/23/2006) (Entered: 05/23/2006)
05/25/2006	<u>23</u>	ORDER by Judge Alsup granting <u>7</u> Motion for Summary Judgment (whalc2, COURT STAFF) (Filed on 5/25/2006) (Entered: 05/25/2006)
05/25/2006	<u>24</u>	JUDGMENT in favor of American Civil Liberties Union of Northern California, San Francisco Bay Guardian, University of California Santa Cruz Students Against War and Berkeley Stop the War Coalition against Department of Defense, Department of the Navy, Department of the Air Force. Signed by Judge Alsup on 5/25/06. (whalc2, COURT STAFF) (Filed on 5/25/2006) (Entered: 05/25/2006)
05/25/2006	<u>25</u>	Minute Entry: Motion Hearing held on 5/25/2006 before William Alsup (Date Filed: 5/25/2006) re <u>7</u> MOTION for Summary Judgment filed by American Civil Liberties Union of Northern California, San Francisco Bay Guardian, University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition. (Court Reporter Kathy Wyatt.) (dt, COURT STAFF) (Date Filed: 5/25/2006) (Entered: 05/25/2006)
05/31/2006	<u>26</u>	STIPULATION and [Proposed] Order Extending Time to File Post–Judgment Motion for Attorneys' Fees and Expenses by University of California Santa Cruz



		Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. (Sitkin, Lisa) (Filed on 5/31/2006) (Entered: 05/31/2006)
06/01/2006	<u>27</u>	STIPULATION AND ORDER EXTENDING TIME TO FILE POST-JUDGMENT MOTION FOR ATTORNEY'S FEES AND EXPENSES. Signed by Judge Alsup on 6/1/06. (whalc2, COURT STAFF) (Filed on 6/1/2006) (Entered: 06/01/2006)
06/05/2006	<u>28</u>	ORDER RE ATTORNEY'S FEES. Signed by Judge Alsup on 6/5/06. (whalc2, COURT STAFF) (Filed on 6/5/2006) (Entered: 06/05/2006)
06/29/2006	<u>29</u>	MOTION for Attorney Fees <i>Re: Plaintiffs' Entitlement to Attorney's Fees and Expenses</i> filed by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. Motion Hearing set for 8/17/2006 08:00 AM in Courtroom 9, 19th Floor, San Francisco. (Sitkin, Lisa) (Filed on 6/29/2006) (Entered: 06/29/2006)
06/29/2006	<u>30</u>	Declaration of Mark Schlosberg in Support of <u>29</u> MOTION for Attorney Fees <i>Re: Plaintiffs' Entitlement to Attorney's Fees and Expenses</i> filed by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. (Attachments: # <u>1</u> Exhibit 1 to Schlosberg Fees Declaration# <u>2</u> Exhibit 2 to Schlosberg Fees Declaration)(Related document(s) <u>29</u> ) (Sitkin, Lisa) (Filed on 6/29/2006) (Entered: 06/29/2006)
06/29/2006	<u>31</u>	Proposed Order re <u>29</u> MOTION for Attorney Fees <i>Re: Plaintiffs' Entitlement to Attorney's Fees and Expenses</i> by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. (Sitkin, Lisa) (Filed on 6/29/2006) (Entered: 06/29/2006)
07/12/2006	<u>32</u>	STIPULATION re <u>29</u> MOTION for Attorney Fees <i>Re: Plaintiffs' Entitlement to Attorney's Fees and Expenses</i> by United States Department of Defense, Department of the Army, Department of the Navy, Department of the Air Force. (Attachments: # <u>1</u> Affidavit of Samuel C. Kaplan)(Kaplan, Samuel) (Filed on 7/12/2006) (Entered: 07/12/2006)
07/24/2006	33	NOTICE OF APPEAL as to <u>23</u> Order on Motion for Summary Judgment, <u>24</u> Judgment, by United States Department of Defense, Department of the Army, Department of the Navy, Department of the Air Force. (sis, COURT STAFF) (Filed on 7/24/2006) (Entered: 07/25/2006)
07/25/2006		Copy of Notice of Appeal and Docket sheet mailed to all counsel (sis, COURT STAFF) (Filed on 7/25/2006) (Entered: 07/25/2006)
07/25/2006		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 33 Notice of Appeal (sis, COURT STAFF) (Filed on 7/25/2006) (Entered: 07/25/2006)
08/09/2006	<u>34</u>	Memorandum in Opposition re <u>29</u> MOTION for Attorney Fees <i>Re: Plaintiffs' Entitlement to Attorney's Fees and Expenses</i> filed by United States Department of Defense, Department of the Army, Department of the Navy, Department of the Air Force. (Attachments: # <u>1</u> Exhibit 1 – Second Declaration of William T. Kammer# <u>2</u> Exhibit 1 (Attachment A)# <u>3</u> Exhibit 1 (Attachment B – Part I)# <u>4</u> Exhibit 1 (Attachment B – Part II)# <u>5</u> Exhibit 1 (Attachment C)# <u>6</u> Exhibit 1 (Attachment D)# <u>7</u> Exhibit 2 – Second Declaration of Lieutenant Commander Nieva M.S. Brock# <u>8</u> Exhibit 3 – Second Declaration of Anne C. Costa)(Kaplan, Samuel) (Filed on 8/9/2006) (Entered: 08/09/2006)
08/30/2006	<u>35</u>	STIPULATION re <u>29</u> MOTION for Attorney Fees <i>Re: Plaintiffs' Entitlement to Attorney's Fees and Expenses Stipulation Settling Claim for Attorney's Fees and Expenses; Order</i> by University of California Santa Cruz Students Against War, Berkeley Stop the War Coalition, American Civil Liberties Union of Northern California, San Francisco Bay Guardian. (Sitkin, Lisa) (Filed on 8/30/2006) (Entered: 08/30/2006)

09/05/2006	<u>36</u>	ORDER AND STIPULATION SETTling CLAIM FOR ATTORNEY'S FEES AND EXPENSES by Judge Alsup settling <u>29</u> Motion for Attorney Fees (whalc2, COURT STAFF) (Filed on 9/5/2006) (Entered: 09/05/2006)
09/08/2006	37	MANDATE of USCA – Motion for Voluntary Dismissal is Granted as to 33 Notice of Appeal filed by United States Department of Defense,, Department of the Air Force,, Department of the Army,, Department of the Navy, (sis, COURT STAFF) (Filed on 9/8/2006) (Entered: 09/11/2006)
09/11/2006	38	CLERKS Letter Spreading Mandate to Counsel (sis, COURT STAFF) (Filed on 9/11/2006) (Entered: 09/11/2006)